

Customized FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.

P07477US00/MP

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO.

**10/019746**

INTERNATIONAL APPLICATION NO.  
PCT/AU00/00839

INTERNATIONAL FILING DATE  
11 JULY 2000

PRIORITY DATE CLAIMED  
15 JULY 1999

TITLE OF INVENTION: METHOD OF WRITING GRATING STRUCTURES

APPLICANT(S) FOR DO/EO/US: CANNING, John

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☐ 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
- ☒ 3. This express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 371(b) and PCT Art. 22 and 39(1).
- ☒ 4. A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.
- ☒ 5. A **copy** of the International Application as filed (35 U.S.C. 371 (c)(2))
  - ☐ a. is transmitted herewith (required only if not transmitted by the International Bureau).
  - ☒ b. has been transmitted by the International Bureau.
  - ☐ c. is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ 6. A **translation** of the International Application into English (35 U.S.C. 371(c)(2)).
- ☒ 7. Amendments to the claims of the International Appln. under PCT Article 19 (35 USC 371 (c)(3))
  - ☐ a. are transmitted herewith (required only if not transmitted by the International Bureau).
  - ☐ b. have been transmitted by the International Bureau.
  - ☐ c. have not been made; however, the time limit for making such amendments had NOT expired.
  - ☒ d. have not been made and will not be made.
- ☐ 8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☐ 9. An **oath** or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- ☐ 10. A translation of the annexes to the Int'l Prelim. Exam. Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 20. below concern document(s) or information included:**

- ☐ 11. An **Information Disclosure Statement** under 37 C.F.R. 1.97 and 1.98.
- ☐ 12. An **Assignment** document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☒ 13. A **First preliminary amendment**.
- ☐ 14. A Second or Subsequent preliminary amendment.
- ☐ 15. A substitute specification.
- ☐ 16. A change of power of attorney and/or address letter.
- ☐ 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 & 35 USC 1.821-825.
- ☐ 18. A second copy of the published international application under 35 USC 154(d)(4).
- ☐ 19. A second copy of the English translation of the international application under 35 USC 154(d)(4).
- ☐ 20. Other items or information:

☐  
☐

- ☐ A copy of the Notification of Missing Requirements under 35 U.S.C. 371.
- ☐ In the event that a petition for extension of time is required to be submitted herewith, and in the event that a separate petition does not accompany this response, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely. Any fee is authorized in 17(c).

Date: 15 January 2002

10019746.061902

JUL Rec'd PCT/PTO 15 JAN 2002

U.S. APPLICATION NO. (If known) <b>10/019746</b>		INTERNATIONAL APPLICATION NO. PCT/AU00/00839	ATTORNEY DOCKET NO. P07477US00/DEJ	
<input checked="" type="checkbox"/> 21. The following fees are submitted:			CALCULATIONS PTO USE ONLY	
<input checked="" type="checkbox"/> Basic National Fee (37 CFR 1.492 (a) (1)-(5):				
<input checked="" type="checkbox"/> Neither Int'l Prelim. Exam. fee nor Int'l Search fee paid to USPTO \$1040				
<input type="checkbox"/> Search Report has been prepared by the EPO or JPO \$ 890				
<input type="checkbox"/> No Int'l Prelim. Ex. fee paid to USPTO but Int'l Search fee paid to USPTO \$ 740				
<input type="checkbox"/> International preliminary examination fee paid to USPTPO \$ 710				
<input type="checkbox"/> Int'l Prelim. Ex. fee paid to USPTO & all claims satisfied PCT Art. 33(1)-(4) \$ 100				
ENTER APPROPRIATE BASIC FEE AMOUNT =			\$ 1040	
<input type="checkbox"/> Surcharge of \$130 for furnishing the oath or declaration later than from the earliest claimed priority date (37 CFR 1.492(e)).			<input type="checkbox"/> 20 mos. <input type="checkbox"/> 30 mos. +	\$
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	40 - 20 =	20	X \$18 =	\$ 360
Independent Claims	03 - 03 =		X \$84 =	\$
<input type="checkbox"/> Multiple Dependent Claim(s) (if applicable)			+ \$280 =	\$
TOTAL OF ABOVE CALCULATIONS =			\$ 1400	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.			-	\$ 700
SUBTOTAL =			\$ 700	
<input type="checkbox"/> Processing fee of \$130 for furnishing the English translation later than from the earliest claimed priority date (37 CFR 1.492(f)).			<input type="checkbox"/> 20 mos. <input type="checkbox"/> 30 mos. +	\$
TOTAL NATIONAL FEE =			\$ 700	
<input type="checkbox"/> Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property			+	\$
TOTAL FEES ENCLOSED =			\$ 700	
Amount to be			Refunded	\$
			Charged	\$
<input checked="" type="checkbox"/> a. A check in the amount of \$700 to cover the above fees is enclosed.				
<input type="checkbox"/> b. Please charge my Deposit Account No. 12-0555 in the amount of \$ to cover the above fees.				
<input checked="" type="checkbox"/> c. The Commissioner is hereby authorized to charge any additional fees required or credit overpayment to Deposit Account No. 12-0555.				
<b>Note:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.				
SEND ALL CORRESPONDENCE TO:			SIGNATURE: <u>Douglas E. Jackson</u>	
MARVIN PETRY			NAME: Douglas E. Jackson	
At the address (below) of CUSTOMER NO. 00881.			REG. NO.: 28518	
LARSON & TAYLOR, PLC			PHONE NO.: 703-739-4900	
1199 NORTH FAIRFAX ST.			Date: 15 January 2002	
SUITE 900				
ALEXANDRIA, VA 22314				